

REMARKS

Claims 3, 5-6, 9, 11, 13-14, 30-35 and 37-38 are currently under consideration in the present application. Claims 2, 4, 7, 8, 10, 12, 15, 16, 18, 21-29, 36 and 39-40 have been withdrawn from consideration by the Examiner. The claims have not been amended in this Response to the Office Action.

APPLICANTS' RECORD OF AN EXAMINER INTERVIEW

On February 28, 2008, Applicants' Counsel Lawrence E. Crowe, Examiner Marcus Menezes, and Mr. Menezes' Supervisor Examiner Sande discussed the Office Action dated November 30, 2007 during a telephone interview. The Applicants' Counsel greatly appreciates the courtesies extended by Examiners Menezes and Sande during the telephone interview.

As a result of the interview, it was agreed that U.S. Patent No. 1,731,704 to Carr was silent with respect to specific limitations of both independent claim 3 and independent claim 30, from which all of the other claims depend. Specifically, it was agreed that Carr did not disclose that the stud B of Carr was connected to the threaded screw passing through the stud B as required by the limitations of claims 3 and 30 of the present application, and further did not disclose that applying a torque to the stud B as required by claim 3 would in any way be sufficient for threading the screw of Carr into the floor. It was further agreed that Carr would be removed as a reference for supporting any of the rejections under either 35 USC § 102 or 35 USC § 103.

It was also agreed that, as a result of removal of Carr as a reference, the Office Action does not provide proper support for a rejection of any of the claims currently under consideration.

It was further agreed that, procedurally, the Applicants would submit a Response to the Office Action traversing the rejection of all claims, and that the next communication from the Examiner would be either a Non-Final Office Action on new grounds not necessitated by any amendment by the Applicants, or a Notice of Allowance.

CLAIM REJECTIONS UNDER 35 USC § 102

The rejection of claims 3, 9, 11 and 30-35 as being anticipated by Carr (US 1,731,704) is traversed.

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With removal of Carr as a reference, as discussed above in the Applicants' Record of Examiner Interview, the Office Action provides no basis for the rejection of any of claims 3, 9, 11 and 30-35.

CLAIM REJECTIONS UNDER 35 USC § 103

The rejection of claims 5, 6, 13, 14, 37 and 38 as being obvious over Carr in view of Cundall (GB 2 133 993) is traversed.

With the removal of Carr as a base reference, the Office Action does not provide proper support for a rejection of any of claims 5, 6, 13, 14, 37 or 38 under 35 USC § 103.

CONCLUSION

In light of the above comments, reconsideration and notification of allowance are respectfully requested.

EXAMINER TELEPHONE CONFERENCE REQUESTED

If the Examiner does not believe the claims to be allowable, the Applicants request that the Examiner contact the undersigned Attorney for the Applicants, prior to issuing either another Office Action, to arrange for a telephone conference.

PROCEDURAL MATTERS AND FEES

The Applicants believe that no fees or overpayments are occasioned by the submittal of this paper. If any fees or overpayments are occasioned by the filing of this paper, however, the Commissioner is authorized to charge those fees, or credit any overpayments to deposit account 50-3505.

Respectfully submitted,

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